

10/553941

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PATENT

KEL01 P-145

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

International Application No. : PCT/EP2004/04381
International Filing Date : April 22, 2004
Applicant : Patrick Leahy
For : A DEVICE AND METHOD FOR USE IN SURGERY

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Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

In accordance with 37 CFR 1.51, 1.56, 1.97 and 1.98, Applicants submit herewith patents, publications or other information listed on attached Form PTO-1449 for consideration by the Examiner in connection with examination of the present application.

This Information Disclosure Statement is being filed: (a) within three months of the filing date of the national application; (b) within three months of the date of entry of the national stage as set forth in 37 CFR § 1.491 in the corresponding international application; or (c) before the Applicant(s) is aware of any mailing date of a first Office Action on the merits, whichever occurs last.

This Information Disclosure Statement is not intended to constitute an admission that any patent, publication or other information referred to herein is "prior art" for this invention unless specifically designated as such.

Under 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists.

An early and favorable action on the merits is respectfully requested.

Respectfully submitted,

PATRICK LEAHY

By: Van Dyke, Gardner, Linn & Burkhardt, LLP

OCTOBER 20, 2005
Date

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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE
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INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)

ATTY. DOCKET NO.
KEL01 P-145

SERIAL NO. **10/553941**

APPLICANT(S)
Patrick Leahy

FILING DATE

GROUP

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | | | | | | | | DATE | NAME | CLASS | SUB- CLASS | FILING DATE IF APPRO- PRIATE |
|---------------------|--|-----------------|---|---|---|---|---|---|--|---------|----------------|-------|---------------|---------------------------------------|
| | | 6 | 1 | 4 | 2 | 9 | 3 | 6 | | 11/7/00 | Carroll et al. | | | |
| | | 5 | 8 | 9 | 9 | 2 | 0 | 8 | | 5/4/99 | Bonadio | | | |
| | | 5 | 5 | 2 | 2 | 7 | 9 | 1 | | 6/4/96 | Leyva | | | |
| | | 5 | 6 | 4 | 0 | 9 | 7 | 7 | | 6/24/97 | Leahy et al. | | | |
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FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | | | | | | | | DATE | COUNTRY | CLASS | SUB- CLASS | TRANSLA-TION | |
|---------------------|--|-----------------|--|--|--|--|--|--|--|------|---------|-------|---------------|--------------|---|
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

| EXAMINER INITIAL | | |
|---------------------|--|---|
| | | International Search Report for PCT/EP2004/04381. |
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| EXAMINER | DATE CONSIDERED |
|---|-----------------|
| EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |